



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

FEB 02 2012

OFFICE OF THE
REGIONAL ADMINISTRATOR

Frank Standifer III
President
Native Village of Tyonek
P.O. Box 82009
Tyonek, Alaska 99682

R10-12-000-0412

Dear President Standifer:

Thank you for your invitation to meet with the Native Village of Tyonek (NVT) this winter to discuss the Chuitna Coal Project. Although your letter was dated October 26th, 2011, it was not received by my office until January 9th, 2012. While I am planning a trip to Anchorage the week of February 6th, I am attending the Alaska Forum on the Environment; regrettably, I will not be able to travel to Tyonek during that time.

I have spoken at length with Rick Parkin and other staff who on my behalf traveled to Tyonek to meet with you and your Council in August 2011. We appreciate the time you and your administration took to plan and participate in this meeting, as well as your hospitality in hosting the EPA in your community. I am pleased that these conversations took place, and that we had the opportunity to clarify the EPA's role in the proposed Chuitna Coal Project and hear directly your concerns regarding this project. I assure you that our commitments to the NVT regarding the proposed Chuitna Coal project will continue to be a high priority for the EPA.

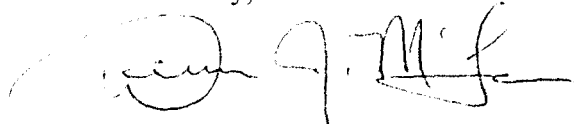
At the August 2011 meeting, it was agreed that future government-to-government consultation leadership meetings should occur at meaningful points in the process, i.e., when there is a regulatory action the EPA is considering, when there is an opportunity for meaningful NVT input, or when there is a significant issue to discuss. At this time, there are no regulatory actions the EPA is currently considering related to the proposed Chuitna Coal project, no immediate opportunities for the NVT input, and we are unaware of any new issues. While we see no trigger at the present time for a formal government-to-government consultation, I am available for an informal conversation with you as the President of the NVT. We could arrange a discussion over the phone, or perhaps a short meeting at the Alaska Forum on the Environment in Anchorage if you plan to attend.

We look forward to continuing our relationship with the Native Village of Tyonek, and we are committed to keeping staff available to answer any questions you might have about the EPA's role in the proposed Chuitna Coal Project. As the Memorandum of Understanding (MOU) between the EPA and the NVT is developed, instances where there will be opportunities for tribal consultation and coordination will be identified. The EPA intends to have a draft of this MOU for review by your tribal government by the end of February 2012. For additional information about how the EPA consults with tribal governments, please see the attached EPA

Policy on Consultation and Coordination with Indian Tribal Governments and the Draft Region
10 Tribal Consultation Procedures.

The EPA appreciates your efforts, and those of the Native Village of Tyonek, to protect the health and welfare of your tribal members, traditional lands and waters, and subsistence resources. We acknowledge your concerns about the proposed Chuitna Coal Project. If you have any questions or additional concerns, please contact Jim Woods, Senior Tribal Policy Advisor, at (206)553-2871 or by email at woods.jim@epa.gov. We look forward to providing additional consultation and coordination opportunities at meaningful points in the process.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis J. McLerran", written over a horizontal line.

Dennis J. McLerran
Regional Administrator

Enclosures

bcc: Dianne Soderlund, EPA Alaska Operations Office Director
Kate Kelly, EPA Director, Office of Ecosystems Tribal and Public Affairs
Mike Bussell, EPA Director, Office of Water and Watersheds
Jim Woods, EPA Senior Tribal Policy Advisor
Katherine Brown, EPA Alaska Tribal Coordinator
Tami Fordham, EPA Alaska Resource Extraction Tribal Policy Advisor
Jamey Stoddard, EPA Project Manager